

### REMARKS

Favorable reconsideration of this patent application, as previously amended and in light of the following discussion, is respectfully requested.

Claims 1-3 and 5-26 have been rejected as being unpatentable over either Japanese ('310) or Japanese ('570) in view of Wiener et al., Lynch et al., or Nis et al. and Falk et al., and further in view of Bradford, Wetzler, Japanese ('713), Barnes et al., or Ito under 35 USC 103. Claims 1-3 and 5-26 remain active in this patent application.

In connection with the rejection of the noted claims based upon the noted prior art of record, it is reiterated to the Examiner that the present invention as currently claimed patentably defines over all of the art of

record and particularly over either Japanese ('310) or Japanese ('570) in view of Wiener et al., Lynch et al., or Nis et al. and Falk et al. and further in view of Bradford, Wetzler, Japanese ('713), Barnes et al., or Ito More particularly, independent Claims 1,9,13,16, and 20 have been appropriately amended so as to set forth the fact that in accordance with the present invention, the tip head comprises three flame which together define a substantially complete circumferential flame array for substantially completely heating the entire circumferential extent of the member as clearly shown in the left side of **FIGURE 2** of the patent drawings. More particularly, or stated in other words, what the presently claimed invention has been capable of achieving is the heating of the entire circumferential extent of the member to be treated with only, three flame orifices. Obviously, as disclosed within Japanese ('310), as seen, for example, within **FIGURE 2**, numerous flame orifices 2, far more than only three, are utilized. Similarly, as can be appreciated from **FIGURES 1 and 2** of Japanese ('570), four flame nozzles are employed, whereas, for example, within **FIGURE 10**, many orifices are disclosed at 51. Similar multiple nozzles are also shown in **FIGURES 15 and 16**. Similar remarks also hold true for Wiener et al. wherein, as the exam-

iner has noted in connection with **FIGURE 5**, multiple, that is, more than three, flames are utilized. Still yet further, Lynch et al., and Nis et al. likewise disclose multiple flame jets and do not at all discuss the achievement of the circumferential heating of a central or axial member utilizing only three flame jets or orifices. Falk et al. has been cited by the examiner for other features of the invention and is submitted to not be particularly pertinent for the present discussion.

In addition, it is also noted that the noted independent claims recite the fact that the orifices are disposed at a predetermined angle with respect to a first plane within which they are disposed so as to effectively heat the member at a location which is disposed within a second plane axially spaced from the first plane. This is shown within the previously submitted **NEW SHEET** of drawings illustrating new **FIGURE 5** which is effectively an enlarged partial view of **FIGURE 4** and showing the added angled flame orifices. No new matter has been introduced into the patent as such subject matter was present within the original patent disclo-

sure. The submission of the new sheet of drawings is also respectfully submitted to overcome the objection of the examiner to the drawings and the rejection of the same under 35 Usc 132(a). Upon approval of the examiner, and the indication of allowance, a formal drawing will be submitted as well as amendments to the specification briefly describing new **FIGURE 5**.

The examiner has cited the new art of, for example, Bradford et al. and Ito, however, again, these patents disclosed the use of multiple flames, not limited to three flame orifices. Furthermore, while Barnes et al. discloses the use of three flame orifices, they are not disposed within the claimed manner so as to substantially surround the object being treated in the claimed circumferential manner. In a similar manner, while Wetzler discloses the use of three nozzles 23, the apparatus is being used to heat a mold 18 so as to melt a metal within the mold 18 and is not concerned with a welding torch for welding tubular members. Lastly, in connection with Japanese ('713), it appears that the tip head extends through an angular extent of substan-

tially greater than 280°, it also appears that two of the three orifices are not disposed near the tip end portions of the tip head as recited in the claims, it does not appear that the three orifices define a substantially circumferential array as can be seen in **FIGURE 1** from the fact that the two end orifices are diametrically opposite each other and that all three orifices are disposed within an angular extent of approximately 180° as opposed to, for example, being equidistantly spaced from each other throughout an angular extent of approximately 360°, and lastly, it does not appear that the orifices of Japanese ('713) are angled with respect to the plane of the tip head.

It is therefore respectfully submitted that all of the above features as recited within the claims, taken together so as to achieve such heating of the entire circumferential extent of the member with only three angled flame orifices, are not in fact disclosed within any of the noted **PRIOR ART** of record, nor would such be obvious from the teachings of such **PRIOR ART** of record, and it is therefore respectfully submitted further that Claims 1,6,9,13, and 20,


as well as the remaining claims of the patent and this patent application, patentably define over such **PRIOR ART** of record. It is also respectfully noted to the examiner that the examiner has apparently employed eleven (11) references to render "obvious" the presently claimed invention. One has to wonder if in fact the claimed invention is truly "obvious" if in fact eleven (11) references are required in order to in fact demonstrate the obviousness of the claimed invention.

In light of the foregoing, it is respectfully submitted that the rejection of the claims, under the various grounds of rejection as noted above, should be withdrawn, and that the claims of this patent application are in condition for allowance. An early and favorable action to this effect is therefore now anticipated and awaited.

It is lastly noted that this amendment is being filed within a period of three (3) months beyond the normal

response due date, and therefore a check in the amount of \$1050.00 is attached hereto for a three (3) month extension of time which is hereby respectfully requested.

Respectfully Submitted,  
**LAW OFFICES OF**  
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